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Attorneys for Plaintiffs, VERONICA GUTIERREZ, ERIN WALKER
and WILLIAM SMITH, on behalf of themselves and all others similarly situated

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VERONICA GUTIERREZ, ERIN WALKER
and WILLIAM SMITH, as individuals, and on
behalf of all others similarly situated,

Plaintiffs,

v.

WELLS FARGO & COMPANY; WELLS
FARGO BANK, N.A.; and DOES 1 through
125,

Defendants.

Case No.: C 07-05923 WHA (JCSx)

CLASS ACTION

**PLAINTIFFS' ADMINISTRATIVE REQUEST
TO FILE PORTIONS OF PLAINTIFFS' REPLY
TO OPPOSITION OF WELLS FARGO BANK,
N.A. TO PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION UNDER SEAL;
SUPPORTING DECLARATION OF RICHARD
D. McCUNE; [PROPOSED] ORDER**

**DATE: August 21, 2008
TIME: 8:00 a.m.
DEPT: Courtroom 9, 19th Floor**

Judge Assigned: Hon. William H. Alsup
Complaint Filed: November 21, 2007

Pursuant to Civil L.R. 79-5, named Plaintiffs Veronica Gutierrez, Erin Walker, and William
Smith, on behalf of themselves and all others similarly situated, request the Court order that portions of
Plaintiffs' Reply to Opposition of Wells Fargo Bank, N.A. to Plaintiffs' Motion for Class Certification
("Reply"), and certain exhibits attached to the Declaration of Richard D. McCune in Support of

1 Plaintiffs' Reply to Opposition of Wells Fargo, N.A. to Plaintiffs' Motion for Class Certification
2 ("McCune Declaration") be filed under seal, based on this Administrative Request, the supporting
3 Declaration of Richard D. McCune In Support of Plaintiffs' Administrative Request to File Portions of
4 Plaintiffs' Reply to Opposition of Wells Fargo, N.A. to Plaintiffs' Motion for Class Certification Under
5 Seal ("McCune Admin. Decl."), and a [Proposed] Order, attached herewith.

6 Under Civil Local Rule 79-5, a document may only be filed under seal upon a showing of good
7 cause.

8 Certain portions of the Reply refer to or contain information that was designated as confidential
9 by Defendant Wells Fargo Bank, N.A., pursuant to the Stipulated Protective Order in this case. *See*
10 *McCune Admin. Decl.* ¶ 2. Plaintiffs are lodging herewith a redacted version of the Reply. *See McCune*
11 *Admin. Decl.* ¶ 2.

12 Certain Exhibits (Exhibits 24, 27, 28 and 29) of the McCune Declaration refer to or contain
13 information that was designated as confidential by Defendant Wells Fargo Bank, N.A., pursuant to the
14 Stipulated Protective Order in this case. *See McCune Admin. Decl.* ¶ 3. For the exhibits that consist of
15 entirely confidential documents, good cause exists to seal those exhibits of the McCune Declaration.
16 *See McCune Admin. Decl.* ¶ 3.

17 Accordingly, Plaintiffs respectfully request the Court order that certain portions of the Reply and
18 certain exhibits of the McCune Declaration be filed under seal, as specified in the attached [Proposed]
19 Order. Plaintiffs take no position at this time as to whether the information is entitled to remain sealed.

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21 DATED: August 7, 2008.

McCUNE & WRIGHT, LLP

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23 BY: 

24 Richard D. McCune
25 Attorney for Plaintiffs
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